

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

LEWIS EDWARD BYRD III,

Plaintiff,

v.

BRANDON ARENZ,

Defendant.

ORDER

17-cv-191-jdp

Pro se plaintiff Lewis Edward Byrd III is proceeding on a Fourth Amendment excessive force claim against defendant Brandon Arenz, a law enforcement officer. He alleges that Arenz shot at him 11 times and twisted his arm during an arrest. In a June 25, 2018 order, I granted Byrd's motion for the court's assistance in recruiting counsel to represent him and stayed the proceedings. Dkt. 95.

The court has now located counsel. Attorneys David B. Owens and Anand Swaminathan of the law firm Loevy & Loevy have agreed to represent Byrd, with the understanding that they will serve with no guarantee of compensation for their services. It is the court's intention that the scope of representation extends to proceedings in this court only.¹

Byrd should understand that because he is now represented in this case, he may not communicate directly with the court from this point forward. He must work directly with his lawyers and must permit them to exercise their professional judgment to determine which matters are appropriate to bring to the court's attention and in what form. Byrd does not

¹ "Proceedings in this court" include all matters leading up to a final judgment on the merits, the filing of a notice of appeal, if appropriate, and ensuring that all steps are taken to transfer the record to the Court of Appeals for the Seventh Circuit.

have the right to require counsel to raise frivolous arguments or to follow every directive he makes. He should be prepared to accept the strategic decisions made by his lawyers even if he disagrees with some of them. If Byrd decides at some point not to work with these lawyers, he is free to end the representation, but he should be aware that it is unlikely that the court will recruit another lawyer to represent him.

ORDER

IT IS ORDERED that the clerk of court is directed to set a telephone conference before Magistrate Judge Stephen Crocker to set the schedule for the remainder of the proceedings in this lawsuit.

Entered August 17, 2018.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge